

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

ENVIRONMENTAL ASSESSMENT

Docket No. AB 33 (Sub-No. 329X)

**Union Pacific Railroad Company– Abandonment and Discontinuance Exemption –
in Pima County, Arizona**

BACKGROUND

In this proceeding, Union Pacific Railroad Company (UP) filed a notice of exemption under 49 C.F.R. § 1152.50 seeking exemption from the requirements of 49 U.S.C. § 10903 in connection with the abandonment of a line of railroad in Pima County, Arizona. The rail line proposed for abandonment extends 1.6 miles from milepost 984.7 near 22nd Street in Tucson, AZ, to Milepost 986.3 near 4th Ave. A map depicting the line in relationship to the area served is appended to this Environmental Assessment (EA). If the notice becomes effective, the railroad will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

ENVIRONMENTAL REVIEW

UP submitted an Environmental Report that concludes the quality of the human environment will not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. UP served the Environmental Report on a number of appropriate federal, state, and local agencies as required by the Surface Transportation Board's (Board) environmental rules [49 C.F.R. § 1105.7(b)].¹ The Board's Office of Environmental Analysis (OEA) has reviewed and investigated the record in this proceeding.

¹ The Environmental and Historic Reports are available for viewing on the Board's website at www.stb.dot.gov by going to "E-Library," selecting "Filings," and then conducting a search for AB 33 (Sub-No. 329X).

Summary of OEA findings

Transportation System	No significant impact.
Land Use	No significant impact.
Energy	No significant impact.
Air	No significant impact.
Noise	No significant impact.
Safety	No significant impact.
Biological Resources	No significant impact.
Water	No significant impact.
Historic Report	No significant impact.

**No Conditions
Recommended**

Diversion of Traffic

According to UP, no local traffic has moved over the line for at least two years and all overhead traffic was rerouted years ago. Accordingly, the proposed abandonment would not adversely impact the development, use, and transportation of energy resources or recyclable commodities or the transportation of ozone-depleting materials. The proposed abandonment would also not divert rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network.

Salvage Activities

Impacts from salvage and disposal of a rail line typically include removal of tracks and ties, removal of ballast, dismantling of any bridges or other structures that may be present on the rail right-of-way, and regrading of the right-of-way. Salvage may be performed within the right-of-way, or, if necessary, via the construction of new access points to the right-of-way. UP has confirmed that the rails located within the Line's right-of-way were removed years ago.

UP states that the Line does not cross and is not immediately adjacent to any waterway. UP plans to conduct salvage activities by using the existing right-of-way for access, along with existing public and private road crossings, and no new access roads are contemplated. According to UP, salvage activities would not cause sedimentation or erosion of the soil, and UP does not anticipate any dredging or use of fill when removing the track material. UP states that no debris would be discarded along the right-of-way and any work along the right-of-way would be subject to appropriate measures to prevent or control spills from fuels, lubricants, or any other pollutant materials. The Line is not within a designated coastal zone, therefore, no state coastal management consistency certification is required.

According to UP, the Line is in an urbanized area, just southwest of the main business district of Tucson, Arizona. UP states that the Line adjoins two previously-abandoned rail line segments: the line to the east was abandoned in 1941, and the line to the west was abandoned in 2001. The Line remained under common carrier obligations, despite no longer being connected to the national rail network. According to UP, this filing seeks to resolve this situation.

After reviewing the official species list from the U.S. Fish and Wildlife Service, OEA has determined that the proposed abandonment would have no adverse effect on threatened or endangered species listed. It is unlikely that listed species would occur within the project area or that habitat would be adversely affected by any proposed actions.

OEA believes that any air emissions associated with salvage operations would be temporary and would not cause a significant impact to air quality. Noise associated with salvage activities would also be temporary and should not have a significant impact on the area surrounding the proposed abandonment.

Based on all information available to date, OEA does not believe that salvage activities would cause significant environmental impacts.

HISTORIC REVIEW

UP served the Historic Report on the Arizona State Historic Preservation Officer (SHPO), pursuant to 49 C.F.R. § 1105.8(c). The SHPO has submitted comments stating that the proposed abandonment would not affect any known archaeological sites or historic properties listed in or eligible for inclusion in the National Register of Historic Places (National Register). OEA has reviewed the report and the information provided by the SHPO, and we concur with the SHPO's comments.

Pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 C.F.R. § 800.4(d)(1), and following consultation with the SHPO and the public, we have determined that no known historic properties listed in or eligible for inclusion in the National Register would be affected within the right-of-way (the Area of Potential Effect, or APE) of the proposed abandonment. The documentation for this finding, as specified at 36 C.F.R. § 800.11(d), consists of the railroad's Historic Report, all relevant correspondence, and this EA, which have been provided to the SHPO and made available to the public through posting on the Board's website at www.stb.dot.gov.

Pursuant to 36 C.F.R. § 800.2, OEA conducted a search of the Native American Consultation Database to identify federally-recognized tribes that may have ancestral connections to the project area.² The database indicated that the following federally-recognized tribes may have knowledge regarding properties of traditional religious and cultural significance

² Native American Consultation Database, <http://grants.cr.nps.gov/nacd/index.cfm> (last visited September 2, 2016).

within the right-of-way (the APE) of the proposed abandonment: the Pascua Yaqui Tribe of Arizona; the San Carlos Apache Tribe of the San Carlos Reservation, Arizona; the Tohono O'odham Nation of Arizona; and the White Mountain Apache Tribe of the Fort Apache Reservation, Arizona. Accordingly, OEA is sending a copy of this EA to those tribes for review and comment.

CONDITIONS

We recommend that no environmental conditions be imposed on any decision granting abandonment authority.

CONCLUSIONS

Based on the information provided from all sources to date, OEA concludes that, as currently proposed, abandonment of the Line will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and therefore no change in operations), discontinuance of service without abandonment, and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

Following abandonment and salvage of the rail line, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 C.F.R. § 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice.

TRAILS USE

A request for a notice of interim trail use (NITU) is due to the Board, with a copy to the railroad, within 10 days of publication of the notice of exemption in the Federal Register. Nevertheless, the Board will accept late-filed requests as long as it retains jurisdiction to do so in a particular case. This request must comply with the Board's rules for use of rights-of-way as trails (49 C.F.R. § 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Assistance, Governmental Affairs, and Compliance responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact this office directly at (202) 245-0238, or mail inquiries to Surface Transportation Board, Office of Public Assistance, Governmental Affairs, and Compliance, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this Environmental Assessment, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Adam Assenza, who prepared this Environmental Assessment. Environmental comments may also be filed electronically on the Board's website, www.stb.dot.gov, by clicking on the "E-FILING" link. **Please refer to Docket No. AB 33 (Sub-No. 329X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this Environmental Assessment, please contact Adam Assenza, the environmental contact for this case, by phone at (202) 245-0301, fax at (202) 245-0454, or e-mail at adam.assenza@stb.gov.

Date made available to the public: September 2, 2016.

Comment due date: September 19, 2016.

By the Board, Victoria Rutson, Director, Office of Environmental Analysis.

Attachment